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9 Attorneys for Defendant  
PICA Corporation

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

14 MMCA GROUP LTD., a Virginia  
corporation,

No. C-06-7067 MMC (EMC)

Plaintiff,

V.

17  
18 HEWLETT-PACKARD COMPANY, a  
Delaware corporation, PICA  
CORPORATION, an Ohio corporation,

## Defendants

**AMENDED ADMINISTRATIVE MOTION  
TO FILE DOCUMENTS UNDER SEAL  
FILED IN CONNECTION WITH PICA  
CORPORATION'S SUPPLEMENTAL  
BRIEFING IN SUPPORT OF ITS MOTION  
FOR SUMMARY JUDGMENT OR, IN THE  
ALTERNATIVE, PARTIAL SUMMARY  
JUDGMENT; PROPOSED ORDER**

Date: ~~November 20, 2009~~

Time: 9:00 a.m.

Place: Courtroom 7, 19<sup>th</sup> Floor

Judge: Hon. Maxine M. Chesney

This motion amends PICA Corporation's Administrative Motion to File Documents under Seal, filed on October 30, 2009.

Pursuant to Local Rules 7-11 and 79-5, and the Modified Stipulated Protective Order, Defendant PICA Corporation (“PICA”) hereby requests permission to file under seal the following documents, or portions of documents:

1. Exhibit A to the Declaration of Gregory Melick. Page 258 contains PICA’s confidential client information that is competitive and proprietary. Page 337 contains PICA’s confidential pricing information that is competitive and proprietary. Page 373 contains information relating to a private individual’s personal finances. Pages 390-391 contain PICA’s confidential pricing information that is competitive and proprietary.

2. Exhibit B to the Declaration of Gregory Melick. Pages 55-57, 62-64, 67-76, 89, 121, 122, 186, 338, 339, and 447-449 reference individuals in the investigation industry, not parties to this litigation, who may wish to keep their identities confidential (e.g., for security purposes). Pages 279-282 contain PICA’s confidential client information that is competitive and proprietary. Page 337 contains PICA’s pricing information that is competitive and proprietary.

3. Exhibit C to the Declaration of Gregory Melick was designated Confidential and/or AEO by MMCA.

4. Exhibit D to the Declaration of Gregory Melick was designated Confidential and/or AEO by HP.

5. Exhibit E to the Declaration of Gregory Melick contains PICA’s competitive and proprietary billing rates, which are confidential.

6. Exhibit F to the Declaration of Gregory Melick is a document which, on information and belief, has also been produced by HP in this case and designated Confidential. PICA does not itself request that this document be filed under seal.

7. Exhibit G to the Declaration of Gregory Melick was designated Confidential and/or AEO by HP.

8. Exhibit H to the Declaration of Gregory Melick contains PICA’s competitive and proprietary pricing information, which is confidential.

1           9.     Exhibit I to the Declaration of Gregory Melick, at page 511, references former  
2 Defendant Pinkerton's business model, which Pinkerton may deem proprietary and competitive.  
3

4           10.    Exhibit J to the Declaration of Gregory Melick contains PICA's competitive and  
5 proprietary pricing information, which is confidential.  
6

7           11.    Exhibit L to the Declaration of Gregory Melick, on page 111, references a current  
8 or former associate of MMCA, which MMCA has stated is a trade secret. PICA does not itself  
9 request that this document be filed under seal.  
10

11          12.    Exhibit O to the Declaration of Gregory Melick is the personal resume of an  
12 individual who is not a party to this action.  
13

14          13.    Exhibit P to the Declaration of Gregory Melick, on information and belief, was  
15 prepared by MMCA and may be alleged to be a trade secret by MMCA.  
16

17          14.    Exhibit Q to the Declaration of Gregory Melick was designated Confidential  
18 and/or AEO by MMCA.  
19

20          15.    Exhibit R to the Declaration of Gregory Melick was designated Confidential  
21 and/or AEO by MMCA.  
22

23          16.    Exhibit S to the Declaration of Gregory Melick was designated Confidential and/or  
24 AEO by MMCA.  
25

26          17.    Exhibit T to the Declaration of Gregory Melick was designated Confidential  
27 and/or AEO by MMCA.  
28

29          18.    Exhibit V to the Declaration of Gregory Melick was designated Confidential  
30 and/or AEO by MMCA.  
31

32          19.    Exhibit W to the Declaration of Gregory Melick was designated AEO by MMCA.  
33

34          20.    Exhibit X to the Declaration of Gregory Melick was designated Confidential or  
35 AEO by MMCA.  
36

37          21.    Exhibit Y to the Declaration of Gregory Melick was designated Confidential  
38 and/or AEO by MMCA.  
39

1           22. Paragraph 7 of the Supplemental Declaration of Vincent Volpi discusses PICA's  
2 confidential and proprietary pricing information.

3           23. Paragraph 2 of the Declaration of Vaughn Volpi discusses the identity of PICA's  
4 clients, which is confidential and proprietary.

5           24. Portions of PICA's Supplemental Brief which refer to material designated as  
6 Confidential or AEO by other parties.

7           Civil Local Rule 79-5 provides where a party seeks to submit to the Court a document that  
8 has been designated by another party as confidential pursuant to a protective order, that party  
9 must file an Administrative Motion for a sealing order. Thereafter, within five days, designating  
10 party must then file with the Court and serve a declaration establishing that the designated  
11 documents are sealable, and must lodge and serve a narrowly tailored proposed sealing order  
12 within five days of submission. Civ. L.R. 79-5(d).

13           Based on the foregoing, Defendant PICA Corporation respectfully asks that the Court  
14 enter an order permitting PICA to file the above referenced documents, and/or portions of  
15 documents, under seal.

16  
17  
18 Dated: November 2, 2009

/s/Gregory Melick  
By: Gregory Melick  
Attorney for Defendant PICA  
Corporation

22           **DECLARATION OF GREGORY MELICK**

23  
24 I, Gregory Melick, declare as follows, with personal knowledge as to matters upon which  
I have such knowledge, and upon information and belief as to all other matters herein.

25           1. I am an attorney at law duly admitted *pro hac vice* to practice in this Court in this  
26 case, and am one of the attorneys for PICA Corporation in the above matter.  
27

1  
2. All of the matters set forth herein, except as to those matters based upon my  
3 information and belief, are known to me personally, and if called as a witness, I could testify  
competently thereto.  
4

5. The above referenced documents, or portions of documents, should be filed under  
6 seal consistent with the AEO and Confidential designations accorded to the information by the  
designating party(ies).  
7

8 I declare under penalty of perjury of the laws of the State of Ohio that the aforementioned  
9 statements are true and correct and that this declaration was executed on November 2, 2009, in  
10 Columbus, Ohio.  
11

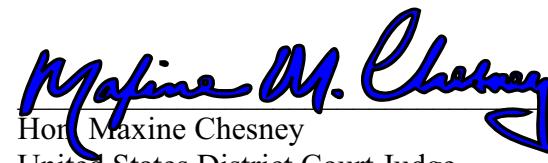
12 By: /s/Gregory Melick  
13 Gregory Melick  
14  
15

16 identified above  
17 Good cause appearing, the Court orders that the ~~following~~ documents shall be filed under seal:  
18 ^  
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22  
23

SO ORDERED.

Dated: January 5, 2010

Date: November       , 2009

  
Hon. Maxine Chesney  
United States District Court Judge